

that no man should be required as a condition precedent to the exercise of the elective franchise, to pay a tax for the enjoyment of that franchise.

Mr. MILLER. Will the gentleman refer to the section of the Constitution from which he has just read?

Mr. NEGLEY. I am upon the definition of the word "poll;" and I don't care whether it is in the Constitution or where it is. It is in the debates here, and it shows the meaning they attached to the word, and that is all the argument was for. If they used it in debate or anywhere, it shows conclusively the meaning which the men who framed the Constitution attached to that word. It means a voting tax, and nothing else. It can mean nothing else. It was in that sense that the term was used by the framers of the Constitution.

Mr. PUGH. Will the gentleman permit me to ask him, when the term "poll-evil" is applied to a certain disease of horses, what is the meaning of the word "poll" in that case?

Mr. NEGLEY. I suppose it means head, just as in the old English the word "villain" meant "servant," whereas now it means anything else but a servant.

Mr. GREENE. In Massachusetts the poll-tax applies to minors of 18 years, who are assessed by the poll. I would ask my friend if the payment of that conferred a right to vote.

Mr. PUGH. I was about to state that in Virginia a poll tax is levied upon persons 16 year of age and upon negro slaves also.

Mr. NEGLEY. If they levied it upon infants in their nurse's arms, it would not affect the meaning of the word at all as used in this old Constitution of Maryland. It was used here as a synonym for voting; and you cannot put into that sentence any other word and make sense of it, while if you supply the word vote, it shows exactly what they meant. It is just as plain as human reason can make it.

Mr. JONES, of Somerset. The gentleman is perfectly right that it was used in that sense there; but they used it in an entirely different sense in this clause of the bill of rights. The same word very frequently means very opposite things.

Mr. NEGLEY. That may be. A difference of time of course changes the meaning of words. They used the term then as a synonym for "vote," and I defy the gentleman from Somerset, or any other gentleman, by any stretch of construction, to make it mean anything else. And it shows conclusively the idea which the framers of the Constitution of Maryland attached to the word "poll" in connection with this tax.

Mr. DUVAL. In some places we have a very objectionable animal called "pole-cat." I would inquire whether the word "pole" there means "vote."

Mr. NEGLEY. I know very little about the natural history of the animal to which the gentleman refers. Perhaps there are more of

them in the county where he lives than in my county. But I am satisfied of this, that the anathema of the framers of the constitution of 1776 upon the poll tax as grievous and oppressive, was intended to apply to a voting tax. That is the ground upon which I am opposed to it. I suggested to my friend from Allegany this morning that I would adopt his proposition if so modified as to meet my views; if, for instance, he would attach to the end of it this provision: "provided that no poll tax which is grievous and oppressive shall be imposed as a qualification for the exercise of the right of suffrage." If he would put in that provision, I would take the rest of the article; but unless that is done I am against all alteration. I believe this article is sufficiently clear, sufficiently lucid, and it forever inhibits the Legislature of Maryland from doing this very thing, imposing a tax upon the right of suffrage.

Mr. SCOTT. The amendment before us is better for the gentleman's purposes than the one he proposes. He proposes that no poll tax shall be imposed which is grievous and oppressive, leaving it to be defined what is grievous and oppressive. But the amendment before us cuts it off entirely, and says none shall be laid.

Mr. NEGLEY. No capitation tax.

Mr. SCOTT. Well, that is the same thing. We know exactly what that means. It requires no defining, whereas the words he proposes would be subject to misconstruction eternally.

Mr. PUGH. In verification of what I have said of the poll tax, that it is not recognized by the States where it has been established as meaning anything else than what it really means in English, a capitation tax, I will read from the Constitution of Virginia:

"ART. 3. *Qualification of Voters.* 1. Every white male citizen of the commonwealth, of the age of twenty-one years, who has been a resident of the State for two years, and of the county, city or town where he offers to vote for twelve months next preceding an election, and no other person, shall be qualified to vote" &c.

"*Taxation and Finance.*—Every slave who has attained the age of twelve years shall be assessed with a tax equal to and not exceeding that assessed on land of the value of \$300."

"A capitation tax, equal to the tax assessed on land of the value of \$200, shall be levied on every white male inhabitant who has attained the age of twenty-one years, and one equal moiety of the capitation tax upon white persons, shall be applied to the purposes of education in primary and free schools," &c.

Every slave is taxed by this capitation tax; and of course he cannot vote.

Mr. DENNIS. I trust I have as much regard and veneration for ancient things as my from Prince George's. But my veneration and regard for ancient things extends only to